

Session 12-33 a Special Meeting of the Homer City Council was called to order on November 2, 2012 at 1:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Conference Room located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: BURGESS, DOLMA (telephonic), HOWARD,
LEWIS, ROBERTS, ZAK (telephonic)

STAFF: CITY MANAGER WREDE
CITY CLERK JOHNSON
PORT AND HARBOR DIRECTOR HAWKINS
PUBLIC WORKS DIRECTOR MEYER

Mayor Wythe called for a motion to allow Councilmember Dolma to participate by telephone.

BURGESS/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

Mayor Wythe called for a motion to approve the agenda.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Chip Duggan, city resident, commented on the Fishing Hole as a great thing for the community. The City should continue to keep it up as it will fill the campgrounds and provide an economic boost for the whole town.

NEW BUSINESS

- A. **Emergency Ordinance 12-52**, An Emergency Ordinance of the City Council of Homer, Alaska, Amending the FY 2012 Capital Budget by Appropriating an Additional \$101,250 from the General Fund Balance for Completion of the Nick Dudiak Fishing Lagoon

Dredging Project. City Manager/Public Works Director/Port and Harbor Director.

Memorandum 12-169 from City Manager as backup.

Councilmember Zak joined the meeting via telephone at 1:06 p.m.

Mayor Wythe called for a motion to suspend the rules to allow Councilmember Zak's participation.

ROBERTS/LEWIS – SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion to allow Councilmember Zak to participate by telephone.

BURGESS/ROBERTS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION UNANIMOUS CONSENT.

Motion carried.

Mayor Wythe called for a motion for the adoption of Emergency Ordinance 12-52 for first and second reading by reading of title only.

HOWARD/BURGESS – SO MOVED.

Councilmember Burgess asked that the height of the dredge spoils pile be limited to prevent cutting off 800 customers' internet service.

Councilmember Howard expressed the need to fund maintenance for the Fishing Lagoon as a budget line item so we don't find ourselves in this situation again. The Fishing Lagoon is important for the citizens as well as the tourists. The dredging is necessary as the fish need to be in the right environment.

Port and Harbor Director Hawkins commented Council was to find a funding source for maintenance of the Fishing Lagoon, possible through parking fees.

Councilmember Roberts commented on the importance of the Fishing Lagoon. We had thought Fish and Game would help with dredging, but they have not come forward this time. If the City has a revenue source perhaps Fish and Game will help with future dredging.

Asked if the ordinance reflects \$100,000 from revenue sharing, City Manager Wrede answered the ordinance does not include revenue sharing funds. Those funds will go into the fund balance. The Mayor thought it would be important to say revenue sharing was special money we were not counting on; it is a one time occurrence. Mr. Wrede suggested another whereas to indicate \$100,000 in special revenue sharing funds have been received by the City and will be appropriated for this purpose.

ROBERTS/LEWIS - MOVED TO AMEND THE ORDINANCE TO INSERT A WHEREAS CLAUSE ON LINE 21 TO SAY WHEREAS THE CITY OF HOMER RECEIVED \$100,000 IN REVENUE SHARING THIS YEAR AND IT WOULD BE APPROPRIATE TO ALLOCATE THIS MONEY TOWARD THE REPAIR OF THE FISHING LAGOON.

City Manager Wrede commented we received a total of \$467,000 in revenue sharing, so the motion could be amended to say a supplemental \$100,000 was received.

ROBERTS/LEWIS – MOVED FOR A FRIENDLY AMENDMENT TO THE MOTION TO ADD “SUPPLEMENTAL” IN FRONT OF THE \$100,000.

There was no discussion.

VOTE: (friendly amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Burgess asked that a separate depreciation fund be set up if it has not been done.

City Manager Wrede indicated a Fishing Hole maintenance fund is already established. It had \$100,000 in it which was spent on the dredging.

Councilmember Zak asked we are being hit with additional dredging, \$100,000 above contract.

City Manager Wrede answered the original contract was for 25,000 cubic yards based on soundings, perimetry work, and the best guess. The City Engineer, Fish and Game, and the contractor did some soundings. We bought a survey for \$6,000. Now the contractor is three quarters or more of the way done and is close to 25,000 cubic yards. With access to a detailed survey it is clear there is 32,500 cubic yards that need to be removed. It is an additional 7,500 cubic yards at \$13.50 per yard, or \$101,250.

Councilmember Zak commented we removed the Fishing Lagoon from our CIP list. It would have changed things if Council had known it would be such a costly job.

City Manager Wrede commented we are not happy about coming back to Council for more

money. The \$467,000 job is a lot of money, with \$367,000 coming from City coffers. At this point we don't want to leave the job uncompleted.

Councilmember Burgess asked why we are paying full price for dredging of the additional amount. The contractor must have billed in his mobilization costs for the price per cubic yard.

Public Works Director Meyer reported the contractor's mobilization and demobilization costs were separated into separate bid items.

Councilmember Lewis asked City Manager Wrede to check with Fish and Game and see if we can find extra money for the project. When we first talked about the Fishing Hole on the CIP it was \$550,000 for dredging.

ROBERTS/LEWIS – MOVED TO AMEND TO ADD A WHEREAS ABOVE LINE 23: WHEREAS ANY PROCEEDS FROM GRAVEL SALES WILL BE PLACED IN THE FISHING LAGOON FUND.

City Manager Wrede suggested an amendment to put the information as an enactor clause in Section 5.

ROBERTS/LEWIS – MOVED FOR A FRIENDLY AMENDMENT TO PUT THE INFORMATION IN SECTION 5.

There was no discussion.

VOTE: (friendly amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Roberts noted this will help establish a long term fund for maintenance of the Fishing Lagoon.

VOTE: (amendment) YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Zak asked if there was any room for negotiations on mobilization costs and Mayor Wythe answered the mobilization and demobilization costs were separated from costs of dredging.

City Manager Wrede reported we are doing a cross section of the dredge spoils pile to verify the amount. There was a little breach in the retaining wall and some of the material washed away over the campground this morning.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

COMMENTS OF THE AUDIENCE

Chip Duggan, city resident, thanked Council for adopting the ordinance.

Carey Meyer, Public Works Director, displayed a map showing the cross section of the Fishing Hole and the parts in need of dredging. There was only 5 ft. of water in one end and 8 ft. of water in the other end. At low tide you could not call it a hole. The dredging equipment is here every year and every 4 to 5 years we need to get the Fishing Hole dredged. In the future Bryan and he will work with the City Manager to keep on top of the dredging.

Bryan Hawkins, Port and Harbor Director, commented the entrance of the channel is 9.5 ft. and each year it needs to be cleaned out.

COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

COMMENTS OF THE CITY CLERK

City Clerk Johnson had no comment.

COMMENTS OF THE CITY MANAGER

City Manager Wrede had no comment.

COMMENTS OF THE MAYOR

Mayor Wythe thanked everyone for coming in.

COMMENTS OF THE CITY COUNCIL

Councilmembers Burgess, Dolma, Howard, Lewis, Roberts, and Zak had no comment.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 1:29 p.m. The Next Regular Meeting is Monday, November 26, 2012 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

JO JOHNSON, CMC, CITY CLERK

Approved: _____